

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: OCT 10 2007

MERRILL LYNCH BUSINESS FINANCIAL
SERVICES INC.,

07 CV 3900 (GBD)

Plaintiff,

-against-

JUDGMENT

WELKO, INC., SAM KOHL,
CAREN KOHL, and
"JOHN DOE #1" THROUGH "JOHN DOE #12",
the last twelve names being fictitious and unknown to
plaintiff, being persons having or claiming an interest
in or lien upon the Collateral described in the complaint,

Defendants.

Plaintiff, Merrill Lynch Business Financial Services Inc. ("MLBFS"), residing at 222 N. La-Salle Street, Chicago, Illinois 60601, by its attorney, Spencer L. Schneider, Esq., having brought a motion for summary judgment, under Fed.R.Civ.P Rule 56, for breach of a certain loan agreement and guaranties against defendant Welko, Inc. ("Welko"), whose last known address is 589 Fifth Avenue, New York, NY 10017, defendant Sam Kohl, whose last known address is 15 E. 87th St., Apt 6D, New York, NY 10128, and Caren Kohl ("C. Kohl"), whose last known address is 15 E. 87th St., Apt 6D, New York, NY 10128, for the entry of judgment, jointly and severally, against the above-defendants for the indebtedness, and the defendants Welko and S. Kohl having not opposed said motion and consenting to the entry of judgment against them, however, a petition for bankruptcy protection having been filed by C. Kohl in the U.S. Bankruptcy Court for the Southern District of New York, Case No. 07-12358-mg, and this action being stayed as against her,

Now on the motion of Spencer L. Schneider, Esq., attorney for plaintiff, with the consent of

Warren Graham, Esq., of Cohen Tauber Spievack & Wagner LLP, counsel for defendants, it is hereby

ORDERED, pursuant to FRCP Rule 64 and NY CPLR §7102, the Sheriff, or a US Marshall, is hereby authorized to seize all accounts, chattel paper, inventory, equipment, deposit accounts, financial assets and the proceeds thereof of Welko located at 589 Fifth Avenue, New York, NY 10017., or any other locations, and further directing that, if said chattel is not delivered to the Sheriff or US Marshall, he may break open, enter, and search for the chattel in the location specified hereinabove, including for any bank accounts of Welko; it is further

ADJUDGED that Merrill Lynch Business Financial Services Inc., the plaintiff, do recover of defendants Welko and S. Kohl, jointly and severally, the sum of \$884,774.40, and that plaintiff have execution therefor.

Dated: New York, New York
September __, 2007

OCT 10 2007


U.S.D.J.
HON. GEORGE B. DANIELS